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International Court of Justice

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Notice.

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Copy

Doc.No. 386-PS

Berlin, Nov. 10, 1937.

Memorandum

of the discussion in the Reich Chancellory on Nov. 5, 1937

from 16.15 to 20.30. hours

Present: The Fuehrer and Chancellor of the Reich

The Reich War Minister, Fieldmarshall von Blomberg

The Commander-in-Chief of the Army General Freiherr von Fritsch

The Commander-in-Chief of the Navy Admiral Dr. h.c. Raeder

The Commander-in-Chief of the Air Force General Goering

The Reich Minister of Foreign Affairs Freiherr von Neurath

Colonel Hosbach.

In his opening remarks the Fuehrer stated, that the subject of today's conference was of such importance that its discussion in other countries would probably belong before the forum of the Reich Cabinet, but he - the Fuehrer precisely in regard to the importance of this matter, would rather not make it the subject of the discussion within the circle of the Reich Cabinet. His subsequent observations were the result of careful consideration and of his 4½ years of experience in the government; he would like to explain to the gentlemen present his fundamental thoughts about the possibilities of development and necessities of development of our foreign political situation, at which occasion he would request, in the interest of a far-sighted German policy, that his explanations be considered as his political last will in case of his death.

Then the Fuehrer stated as follows:

The goal of German policy was the safeguarding and the preservation of the mass of the population and its increase. Consequently, it concerned itself with the problem of space.

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The German population consists of more than 85 million people, which, in regard to the number of people and the conformity of the territory of settlement in Europe, establishes such a coherent racial nucleus, as can not be found in any other country, and which, on the other hand, would comprise in itself the right for a greater living space, stronger than would be the case with other nations. If no political result would take placeiin the field of space, corresponding to the German racial nucleus, this would be the sequence of a historical development of several hundred years and would present the greatest danger for the preservation of the German race at its present level, should this political situation last. A retardation of the deterioation of German folkdom in Austria and in Czechoslovakia would be just as impossible as the preservation of the present level in Germany herself. Instead of growth sterilisation would ensue, in consequence of which, tensions of a social kind would occur after a number of years, because political and universal ideas could only exist so long as they would be able to form the foundation for the realisation of the real life-demands of a nation. TherGerman future, therefore would depend exclusively on the solving of the need for space; such a solution could naturally only be found within a reasonable space of time comprising about 1 - 3 generations.

Before he would turn to the question of removing the need for space, it should be considered, whether a successful solution of the German situation could be achieved, by way of autarchy or by way of an increased participation in world economics.

Autarchy: Carring out only possible by strict NationalSocialistic state leadership which would be the presupposition; as a result of the possibility for realization one would have to state:

A) In the filed of raw materials, only conditional, but not total autarchy.

1) As far as coal is concerned for the obtaining of raw products, autarchy could be carried out.

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2) However in the field of iron ores the situation is much more difficult, need of iron-ore self supply possible also light metal, with other raw materials, however, copper, tin, not possible.

3) Fibre material self supply, as far as wood is available. The permanent solution is impossible.

4) Nourishing fats possible.

B) In the field of food stuffs the question of autarchy must be answered with a flat "no". With the general raise of the living standard went hand in hand an increase in the need and individual consumption of the producers too, the farmers, in comparision with the times of 3o-4o years ago. The receipts of the increase of agricultural production served to cover the increase of need and consequently did not result in an absolute increase of production. A further increase of production by exploitation of the earth, which, on account of artificial manure, already shows signs of over-use, would be hardly possible and it could therefore be considered as certain that even at the highest increase of production a participation in the world market could not be avoided. The considerable coverage of foreign currency for the securing of nourishment by import, already necessary at good harvest times, increases to a catastrophic extent during times of crop failure,

The possibility of a catastrophe grows to the extent that there is an increase in the population; whereby the birth surplus of 56o.ooo yearly, would be followed up by an increase of bread consumption, because the child is a greater bread consumer than the adult.

To avoid the difficulties of nutrition by lowering the standard of living and by permanent rationalisation, would be impossible in a part of the world with an approximately equalised standard of living. Since full consuming power has become effective after the solution of the labor problem has been achieved, little corrections of our agricultural self production would be possible, but not a real change in the basis of nourishment.

Consequently autarchy

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is of no value either in the sphere of feeding or in totality.

Participation in world-economics.

Here, borders are drawn, which we cannott remove. The market vacilations militate against a secure foundation of the German situation; commercial treaties do not offer any guarantee for their practical execution in particular. One must fundamentally consider that since the world war, an industrialization of precisely the former food-export countries, has taken place. We live in a time of economic Empires, in which the urge for colonisation again approaches its primitive state. As far as Japan and Italy are concerned, this urge for expansion is motivated by economic reasons, in just the same way as for Germany, too, the urge is caused by economic necessity. The possibility of economic expansion is especially difficult for countries outside the great economic spheres.

The prosperity in the world economy brought about by the armament-boom, can never form the basis for an economic regulation for a greater period of time, to which regulations are opposed, above all, the destructions of economy, deriving from Bolshevism. It is a plain military weakness of such states, which build their existense on export. As our foreign trade reaches over the sea areas, ruled by England, it is more a question of safeguarding the transports, than a question of foreign currency, out of which facts the great weakness of our food situation during a war is illustrated. The only help, which may be, seems dreamlike to us, is in the gaining of a greater living space, an aim, which was at all times, the cause of the creation of states and the movements of nations. It is clear, that the satiated states in Geneva found no interest in this drive. If the security of our food situation would be put in the foreground, we could look for the necess ary space only in Europe, but not

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if we start out from liberalistic – capitalistic attitude towards the exploitation of colonies. We are not concerned in the acquisition of people but of useful agriculturally useful space. The territories for raw material should be looked for in a practical way in immediate surroundings of the Reich within Europe and not overseas, and the solving of this problem must be worked out, within one to two generations. Necessities of future times must be left to future generations. The development of great world formations takes place very slowly, the German people with its strong racial nucleus finds favorable preconditions for it in the midst of the European continent. The history of all times – Bohemian World Empire, British Empire has proven that each expansion of space can take place only by breaking of resistance and by taking risks. Setbacks also are unavoidable. There was no space without a master neither in the past, nor today, The attacker always meets the resistance of the possessor.

The question for Germany is – where the greatest gain can be achieved with the smallest means.

German policy must reckon with both bitter enemies, England and France, to whom a strong German colossus in the midst of Europe would be a thorn in their side, and whereby both States would be opposed to a further increase German power, in Europe as well as overseas, and in doing so they could rely on the support of all parties. In the establishment of German military base overseas both countries would see a threat to their overseas communications an ensurance of German Commerce and a strengthening of the German position in Europe.

England could not yield up parts of her colonial property to us, on account of the resistance of the dominions. After England's loss of prestige, caused by the transfer of Abbyssinia to Italy one can not count on a return of East Africa.

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If England wants to meet us half way this will be expressed by leaving it to our discretion, to satisfy our desires for colonies by cession of such colonies, which, at present, are not in English posession - for example Angola.- French advances will take on the same line.

A serious discussion regarding the return of colonies to us would be opportune at a moment, when England would be in need and the German Reich would be strong and rearmed. The Fuehrer was not of the opinion that the Empire is unshakeable. Resistance against the Empire can be found to a smaller degre in the conquered countries than with the competitors. The Empire cannot be compared with the Roman World Empire in regard to its durability; the latter did not have any enemies wielding political power and of serious character since the termination of the Punic wars. Only the deteriorating influence, derived from Christentianity and the senility, which befalls each State, made ancient Rome fall before the onslaught of the Germans.

A number of States superior have already appeared at the side of the British Empire. The English motherland is able to defend its colonial posessions only in alliance with other countries, but not by its own power. How should England defend, for instance, Canada against an attack by America, or her East-Asiatic interests against one of the Japanese.

The use of the English Crown as bearer of the unity of the Empire is already a confession that the Empire cannot be maintained permanently as a world-power. Important indications in this regard are:

a) Irelands striving for independance.

b) the struggles for a constitution in India where England has opened the possibility to the Indians, by her half way measures, for using later on the nonfulfillment of constitutional

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promises as a weapon in the fight against England.

c) The weakening of the English position in Eastern-Asia by Japan.

d) The conflict with Italy in the Mediterranean which - by referring to her history, driven by want and led by a genius - builds up her position of power and because of this must turn in an increasing measure against English interests. The result of the Abyssinian war represents a loss of prestige for England, which Italy is anxious to increase by inciting the Mohammedan world.

Summing up, it must be stated, that despite of all the ideal stability, the Empire can not be permanently maintained by forty-five million Englishmen in the sense of a policy of might. The relation of the population in the Empire to the population in the motherland, of nine to one, should be a warning to us in our increase of space not to permit the numerical weakening of our basis in the motherland.

The position of France is more favorable than that of England. The French Empire is in a better situation from a territorial standpoint, the inhabitants of her colonial posessions represent a military increase, but France is approaching innerpolitical difficulties. The parlamentary form of government in the life of the nations has to be put at about ten percent, the authoritarian at about 90 percent as factors of might, England, France, - Russia and the adjoining smaller States. -

For the solution of the German question there is only the way of force, which never could be without risk. The struggles of Frederik the Great for Silesia and the wars of Bismarck against Austria and France contained tremendous risks and the speed of the Prussian action in 1870 prevented Austria from entering the war. If one would put at the beginning of the following statements the decision for the use of force with risk, then there still remains the need for answering

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the questions "when" and "how".

In this connection 3 cases have to be decided on.

Case 1: Period from 1943 to 1945.

After that time a change to our disadvantange can be expected.

The rearmament of the Army, Navy and Air Force as well as the formation of an officer corps is almost completed. Material equipment and armament are modern, the maintenance of the secrets of the "Special weapons" could not always be maintained. The obtaining of reserves is limited to the current age groups of recruits additional reserves from older untrained age groups is no longer available.

In relation to the rearmament of the surrounding countries carried out until that time our relative strength is decreasing. If we do not act until 1943-45 every year could bring a food crisis due to the lack of reserves, a crisis for the relief of which sufficient foreign exchange is not available. In this fact a weakening factor of the regime be be seen.

Furthermore, the world expects our blow and prepares its counter measures to an extent increasing from year to year. While the surrounding world looks itself in we are forced to take the offensive.

Nobody knows today what the situation during the years 1943-45 would be actually be like. Only one thing is certain, namely that we cannot wait any longer.

The large Armed Forces with the necessity of securing their supplies, the ageing of the movement and its leaders on the one hand, and the prospect of a lowered standard of living and a birth decrease on the other hand, do not leave any other choice but to act. It is the irrevocable resolve of the Fuehrer - should he still be alive - to solve the question of German living space until 1943-45 at the latest.

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The necessity for action before 1943-45 is considered in cases 2 and 3.

Case 2:

In case the social tensions in France should grow into such an innerpolitical crisis as to absorb the French Army and to eliminate it from being employed in a war against Germany, the time for action against Czechoslowakia will have come.

Case 3:

If France is so tied down through a war with another nation so that she is unable to "proceed" against Germany.

To improve our military - political position our first objective in every instance of an armed conflict must be to crush Czechoslovakia and Austria in order to eliminate any threat to our flank in a possible action in the West. - In a conflict with France one need not expect Czechoslovakia to declare war on us on the same day as France. The determination of Czechoslovakia to participate in the war however would grow in the same degree that our weakness increases whereby her intervention would make itself felt through an attack towars Silesia, to the North or to the West.

Once Czechoslovakia is crushed and a common frontier between Germany and Hungary is established one could count with the greater certainty on a neutral stand on the part of Poland in a German-French conflict. Our agreements with Poland would be valid only as long as Germany's strength was unshaken; in case of German reverses Polish action against Eastern Russia and possibly against Pomerania and Silesia would have to be taken into consideration.

Assuming the development of a situation which would lead to a systematic action on our part in the years 1943-45, the conduct of France, England, Italy, Poland and Russia would probably have to be estimated as follows:

On the whole the Fuehrer believes it to be highly probable that England and probably France also already have quietly written off Czechoslovakia and resigned themselves to the fact that this question would be cleared up by Germany some day.

The difficulties of the Empire and the prospects of becoming involved in a long European war would be the determining factors for a non-participation of England in a war with Germany. It is certain that the English attitude will not be without influence on France. An action by France without English support and with the prospect that her offensive would be stopped at our Western fortifications is not very probable. A passage of France through Belgium and Holland without the support of England would not have to be figured either. Such a passage could not be considered by us either, in case of a conflict with France since it would result in any case in a hostile attitude of England. A settlement in the West would naturally be necessary in any case while our attack against Czechoslovakia and Austria will be carried out. It must be considered in this respect that the strength of the defensive measures of Czechoslovakia would increase from year to year and also that in the course of years a consolidation of the inner values of the Austrian Army would take place. Even though Czechoslovakia is populated rather densely the annexation of Czechoslovakia and Austria would mean an increase of food-supplies sufficient for five to six million people from Czechoslovakia and one million from Austria.

The annexation of these two states by Germany would mean an important relief on the military-political field because it would result in shorter and better frontiers, a release of fighting forces for other purposes

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and a possibility to form new troop units up to a strength of about 12 divisions, whereby one division would fall to every million of inhabitants.

No objections on the part of Italy would have to be expected to the destruction of Czechoslovakia. Her attitude with regard to the Austrian question cannot be estimated today and will essentially depend on the fact whether the Duce will still be alive.

The measure of surprise and the speed of our actions will be decisive for the attitude of Poland. Poland will have little inclination to enter a war against a victorious Germany - with Russia at her back.

A military intervention by Russia would habe to be met by the quickness of our operations; whether such intervention would have to be taken into consideration at all will be more than questionable in view of the attitude of Japan.

In event of case 2 - paralysis of France through a civil war - such a situation would have to be utilized for a blow against Czechoslovakia any time it occurs because of the elimination of a dangerous opponent. -

The Fuehrer considers case 3 as being somewhat closer at hand which could develop from present tensions in the Mediterranean and he is determined to make use of it at any time it occurs, even as early as 1938.

Judging from experiences gained during the course of the war in Spain up to the present time the Fuehrer does not regard its conclusion as close at hand. Considering the amount of time required for the offensive of Franco up to the present time a duration of this war for additional 3 years could be in the realm of possibility. - On the other hand a 100% victory of Franco would not be desirable either, from the German point of view; we are rather interested in a continuation of the war and the maintenance of the tensions in the Mediterranean.

-Ex #3

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A Franco in undivided possession of the Spanish peninsula would eleminate the possibility of continued Italian intervention and Italy's further stay on the Balearic Isles.

Since our interest must be directed at the continuation of the war in Spain it will have to be the task of our policy for the immediate future to strengthen Italy's back for her continued stay on the Balearic Isles. An Italy well established on the Balearic Isles, however, would not be tolerable either to France or to England and could lead to a war of France and England against Italy, in which Spain - if entirely in white hands - might side with Italy's opponents. An Italian defeat would not be very probable in case of such a war. The way via Germany would be open to her for the purpose of supplementing her raw materials. The Fuehrer imagine that the military operations will be conducted by Italy in such a way that she would remain on the defensive against France on her Western frontier and that she would wage the fight from Lybia against the North African colonial possessions of France.

Because a landing of French-English troops on the coasts of Italy would be out of the question and a French offensive across the Alps into Upper Italy would be very difficult and would probably come to a standstill along the strong Italian fortifications, the center of gravity of activity would be in North Africa. The threat presented to the French transport lines by the Italian navy would paralyze to a large extent the transport of troops from North Africa to France, so that France would have at her disposal along the borders against Italy and Germany only troops from the home country.

In case Germany would utilize this war to settle the Czech and Austrian questions one could probably assume that England - being at war with Italy

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would not decide upon an action against Germany. Without English support a military action of France against Germany would not have to be expected.

The date of our attack on Czechoslovakia and Austria will have to depend from the course of the Italian - French - English - war and would not by any means coincide with the opening of hostilities between these states. Neither does the Fuehrer contemplate the concluding military agreements with Italy but wants to begin, and carry out the campaign against Czechoslovakia in complete independance and with utilization of this singularly favorable opportunity, whereby the attack on Czechoslovakia will have to be executed with lightning like speed.

In their estimate of the situation Field Marshal von Blomberg and General von Fritsch pointed out repeatedly the necessity of England and France not acting as our opponents and stated that the French army would not be occupied by a war with Italy to the extent that it could not appear in superior strength on our Western Border. General von Fritsch estimated the French forces which might be assumed to be committed against Italy along the Alpine border at 2o divisions with the result that strongly superior French forces would remain along our Western border which according to German thinking would have as their mission the invasion of the Rhineland. Apart from the small value of the present state of our fortifications - to which Fieldmarshal von Blomberg called special attention - the 4 motorised divisions projected for the West are more or less incapable of moving. With regard to our offensive to the Southeast Fieldmarshal von Blomberg called express attention to the strength of the Czech fortifications the construction of which had taken on the character of a Maginot Line and would render our attack extremely difficult.

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General von Fritsch mentioned that precisely the purpose of a study of this winter ordered by him was to examine the possibility of conducting operations against Czechoslowakia under consideration of overcoming the Czech system of fortifications; the General further stated that under the prevailing conditions he would have to desist from taking his leave abroad which was to start on 10 November. The Fuehrer rejected this intention giving as reason that the possibility of this conflict need not be regarded as being that close at hand. In reply to the objection of the Foreign Minister that an Italian - French - English conflict is not yet as imminent as the Fuehrer seems to assume the Fuehrer indicated the summer of 1938 the likely date as it appeared to him. Repeating his previous arguments, the Fuehrer stated with regard to the estimate arrived at by Field Marshal von Blomberg and General von Fritsch concerning the conduct of England and France, that he was convinced that England would not participate and that he, therefore, did not believe there would be French military actions against Germany. Should the Mediterranean conflict under discussion lead to a general mobilization of Europe we would have to march against Czechoslovakia at once,- should, however, the powers not participating in the war declare their neutrality Germany would have to join them for the time being.

In view of the Fuehrer's statements General Goering considered it necessary to think of abandoning our military enterprise in Spain. The Fuehrer agreed to this proposal in so far as

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he wished to postpone this decision until a suitable date.

The second part of the discussions dealt with material armament problems.

sgd. Hossbach.

Copy certified by:

Kirchbach

Colonel, GSC

Copy certified by:

sgd. [illegible]. Horn

Dr. Martin Horn,

Defense Council.

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Document No. 2461-PS.

21a. Official German notes on the meeting of the Fuehrer and Reich Chancellor with the Austrian Federal Chancellor Dr. Schuschnigg at Berchtesgaden (on 12 February) of 12 and 15 February 1939.1)

Upon invitation by the Fuehrer and Reich Chancellor the Austrian Federal Chancellor Dr. Schuschnigg, accompanied by the Austrian State Secretary for Foreign Affairs, Guido Schmidt and 2) the German Ambassador von Papen called today on the Fuehrer and Reich Chancellor on the Obersalzberg in presence of the Foreign Minister von Ribbentrop. This unofficial meeting was motivated by the mutual desire to discuss all questions concerning the relationship between the German Reich and Austria.

* * *

During the conversation which took place on 12 February between the Fuehrer and Reich Chancellor and the Federal Chancellor Dr. Schuschnigg on the Obersalzberg near Berchtesgaden all questions pertaining to the relations between the German Reich and Austria were the subject of thorough discussions. The objective of this conversation was to clear up the difficulties which had arisen during the execution of the agreement of 11 July 1936. 3)

It was agreed by both parties to adhere to the principles set forth in this agreement and to consider it the starting point of a peaceful development of the relations between the two states. To that effect both parties have decided after the conversation of 12 February 1938 to carry out at once measures 4) which guarantee to bring about such close and friendly relations between the two nations as correspond with the history and the common interest of the German people. Both statesmen are convinded that the measures decided upon by them are at the same time an effective contribution towards a peaceful development of the European situation.

The Austrian Government has issued the same communique.

Copy certified by:

sgd. Dr. Horn

Dr. Horn
Defense Counsel.

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Ri.Exhibit Nr. XII.

C o p y.

Documents on German Politics, Vol.IV, p, 151.

Nr.18

Agreement between the German Reich Government and the Austrian Federal Government of 11 July 1936.

Convinced that the general European development to maintain peace will be appreciably furthered, as well as the belief that the manifold mutual interests of the two German States will thereby be best served, the Governments of the German Reich and of the Federated State of Austria have decided to reshape their relations in a normal and friendly manner.

For this purpose it is declared:

1.) The Government of the German Reich recognizes the full sovereignty of the Federated State (Bundesstaat) of Austria in the sense of the assertions of the Fuehrer and Reich Chancellor of 21 May 1935.
2.) Each of the two Governments considers the existing internal political development in the other country, including the question of the Austrian National Socialism, as an internal concern of the other country on which it will exercise neithe direct nor indirect influence.
3.) The Austrian Federal Government will always adhere, in general as well as in particular matters, to that fundamental line in her policy towards the German Reich that conform to the fact that Austria recognizes herself as a German State. The protocols of Rome ex 1934 and their additional clauses ex 1936 as well as the attitude of Austria towards Italy and Hangary as partners in these protocols will not be affected thereby.

Taking into consideration that the easing of the strained relations desired by both parties can only be achieved if, to this end certain preliminary conditions are effected on the part of th Governments of both countries, the Reich Government as well as the Austrian Federal Government will create the hereto necessary prerequisites by a series of individual measures.

(signed): M. Horn

(Dr. Horn, Defense Counsel)

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Telephone Conversation Between Goering and Reich Foreign Minister von Ribbentrop.

Copy

of document 2949 / PS, part V.

General Field Marshal Goering with Reich Foreign Minister von Ribbentrop.

13 March 38 London 9.15 - 9.55.

G: Well, you know that Fuehrer put me in charge of government affairs. And that's why I wanted to orient you. There is indescribable rejoicing in Austria, you can hear it over the radio.

R: Yes, it's phantastic, isn't it?

G: Yes, the last march into the Rhineland is nothing compared to it, what with the joy of the population ..... The Fuehrer was deeply touched when he talked to me last night. After all, you must consider that he saw his home again for the first time. Now, above all I wanted to talk to you about the political affairs. This story, that we presented an ultimatum is, of course, pure nonsense. The National Socialist ministers and peoples' representatives (Volksreferenten) presented the ultimatum from the start. Later on more and more prominent people of the movement etc. participated and the only thing the national socialist Austrian ministers asked us to do - and that stands to reason - was to protect their back so that they would not be clubbed down and shot again in terror and civil war. We told them we would not tolerate under any circumstances Schuschnigg instigating a civil war. Whether the Communists and the Reds were armed and even paraded around yelling "Heil Moskau" - which parades have been photographed as a matter of fact - by direct orders of Schuschnigg and with his knowledge etc., there were, of course, very dangerous moments in Wiener Neustadt. Furthermore, you have to consider, too, that Schuschnigg delivered weighty speeches stating that the Vaterlaendische Front would fight to the last, - one certainly could not know that they would capitulate in such a manner, and

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therefore, Seyss-Inquart - he was already in office then - asked us to march in without delay. We had massed our troops at the border beforehand, because we could not know - wether there would be a civil war or not.

Such are the actual circumstances which can all be verified by documents There people can ... Of interest is the following: the complete sympathy with National Socialism which surprised even us. And the explanation for that is: Vaterländische Front in which, there were about 80% true National Socialists who, however, on account of the tremendous terror which was carried out especially economically so that everybody at once lost his position - nobody could be an official or employee unless he belonged to the Vaterländische Front in this respect the Vaterländische Fro really seemed to be useful. In reality, those people were, however, our people which could only be discovered and seen now. It explains this attitude which surprised even us. We thought at least... But such is the case that aside from the Jews who live in Vienna and except for these raven-black ones, nobody can be seen at all who is against us.

R.: In reality, that means that all of Austria is for us.

G.: Therefore, I can tell you, if a plebescite should take place tomorrow - I have already told S.I. he shall by all means invite the representatives of the democratic powers in order to legally convince themselves of the fact that this plebiscite will be entirely based on democratic principles - we shall get 90% Yes-votes in Austria. Absolutely!! It is only now that we learn how the people were harassed. I mean, aside from everything else, really sincere men from England and France should later be asked to take a look at that. Here the most cunning deception of the world took place.

R.: I believe we'll put it across here, too during the last few days, I had several conversations, above all with the one the day before yesterday. Things are this way now: at the moment, they have shown their great surprise to me here ....- I shall tell you about that later, but, in general, the things are regarded from a reasonable standpoint.

-21-

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The day before yesterday, I told Halifax who was with me for quite some time, that the whole English public opinion knows very well where Austria stands...

G.:

G.: I would like to add the following: The plebiscite will take place only then when our troops have gone back, our troops must no longer be there then. Besides, our troops are going back within the next few days. That could not be stopped every military man knows that, if such a thing gets going, at the moment the order is given to move, then it has to take its course until the troops have reached their destination and can then be entrained again and shipped back. As I heard yesterday, people figure it will take about 5 or 6 days. In reality, this is just a friendly march. Nothing happened at all, not one shot was fired. Now Vienna and Wiener-Neustadt are still open. But I believe it will be the same there as else where. But nobody could have anticipated that. Remember how the people used to talk. They always raged here that there was a fanatic, determined, ... who want to defend Austria, her independence etc.etc., nobody could assume that those were empty speeches. For instance, the officials came, really from the top down, all the lower and medium ones: "You cannot imagine, if we had once, just once, hinted at our sympathy with you, we would have all been ruthlessly thrown onto the street with our families." Really, it was a system so brutal! Only by their acting sanctimoniously on the outside, by cloaking the whole thing with the word "Christian", did the whole thing become to look like that. But these were the most brutal dogs that ever lived. I have to say that I take my hat off, those in Russia are at least honest. Here they were vile and false. Although they did not behead any people here - well, they did behead a few, but here they broke their spirit, here they killed them economicly. Now I want to say one thing: If any one says we oppressed the Austrian people and their independence by applying pressure, the most they can say would be that only one thing, perhaps, was subjected to pressure, but not by us, that was the little wee bit of a government. The Austrian people is only now completely free.

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I would simply propose to Halifax or a few really first class people whom he trusts, he should simply send them over so that they can take a look at the picture. They should travel through the country, then they will see everything. For the rest, I have to say one thing, you know if ..... - yesterday, it was said: yes, serious things, war etc. I have to laugh indeed, for find me the statesman without a conscience who would again send to death millions of people just because two German brother nations again..

R.: Yes, it is absolutely ridiculous, of course. The understanding is here, too, I thing, they are pretty well informed here.

G.: Mr. Ribbentrop, I would like to stress one thing above all: Which country in the whole world would be injured by our union : Are we taking anything away from any country? If the countries should say: Yes, against our interests! What interests did those countries have ? Their only interest could have been to induce Austria to adopt an attitude hostile to Germany. In the whole of Austria, the minority does not amount to 0.1%. All people are Germans, all people speak German. Therefore, not a single country is involved in this case. And the countries which perhaps, would be the only ones to have an interest in it, you could say, Italy, Yugoslavia and Hungary because there live a few hundred thousand Germans there who possibly could say, yes, by that action we feel ...etc, those do not feel threatened. Therefore, it would be ridiculous if France then... Besides, I would also like to stress that the Czechoslovakian minister was here yesterday and

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stated to me that the rumours that Czechoslovakia had mobilized were absolutely without foundation and they would be satisfied with my word that I would not undertake the least thing against Czechoslovakia.

R.: He sent that message to the embassy already the day before yesterday. He called us specially and told that to Woermann.

G.: There upon, I said the following: that on their march through Austria the German troops would have to remain at a distance of about 15 to 20 kilometers from the border and that north of the Danube only one dissolved batallion should march in order to let these villages participate in the jubilation and joy. Today thi things are such that the advance does not take place according to military principles, but smaller columns are marching, on all streets, because every village wishes to see a German soldier..

R.: Now I want to tell you following: I wanted to fly away later. The time is that already the day before yesterday I finished taking leave from all quarters, The official business is done through the embassy, I no longer have any jurisdiction.

G.: But the Fuehrer thought since you are there already, could you not enlighten the people fundamentally as to how things are in reality. Above all things, that they have been misled to assume that Germany gave an ultimatum.

H0786 – 0025

R.: The englightment has already been taken care of by speaking about it in detail to Halifax and Chamberlain. This is clear in itself. The situatin is now only such that the newspapers-- people are even beginning to ask and it would not be right if I now stayed here, that would be somewhat peculiar.

G.: No, no, I thing you are right. The only thing I did not know was whether you had already spoken to the people.

G.: I wanted you to tell once more, no, not, once more, tell really Halifax and Chamberlain the following: 1) It is not true that Germany gave any ultimatum. This a lie told by Schuschnigg, for the ultimatum was given to him by S.I., Gleise-Horstenau and Jury. Furthermore, it not true that the Bundes President was given an ultimatum by us, but likewise only by the others and I believe that only one military attache who had been asked requested by S.I. to come alon, because of a technical question - he was to ask whether, in case S.I. would request that German troops be allowed to march in for support, Germany would say yes, but not to the people, but to S.I. Furthermore, I want to state that S.I. expressly requested, orally and later by telegraph, too, that troops be sent since he did not know how the situation would be in Wiener-Neustadt, Vienna etc., because arms had be distributed there. And what he could not have known, what would be the attitude of the Vaterlaendische Front which had always bragged so much.

H0786 - 0026

R.: Tell me, Mr. Goering, how are things in Vienna, is everything there clear now ?

G.: Yes. Yesterday, in order to safeguard the air field I had hundreds of air planes with a few companies land there and they met with a joyous reception. Today the advance party of the 17th Division is going to march in, together with the Austrian troops. Furthermore, I want to state that by no means did the Austrian troops withdraw, but every where they happened to be stationed and in garrisons, they immediately joined hands with the German troops.

R.: Really, that was to be expected.

G.: Consequently, the troops marched in upon this request. Now, we ourselves recognize that it is no longer necessary for the troops to march in. The whole thing is taking the course such a matter should take and is now taking place merely as a march of jubilation, if you want to call it that; as soon as it is finished, that is it should be tomorrow or the day after- the return transports will start. And then- the Austrian Government let us know- it would hold a sound and free and secret plebiscite according to all democratic principles in which every Austrian could cast his free vote in secrecy. And for this purpose they intend to ask for people from abroad lest the charge of falsification of the ballots be made later as was done by Schuschnigg - so that they can see for themselves that this plebiscite is truly secret. This is also in our interest because we

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H0786 – 0027

are solemnly convinced that we shall get an overwhelming majority. Therefore, it is also in our interest that this plebiscite will be carried out in a absolutely correct manner. It is only after the plebiscite that we will see what the people have decided and what will happen. You must not leave a doubt regarding one thing: We shall respect Austria's decision in any respect. And if the decision is in favor of the union regarding which we have no doubt, then we shall allow no power in the world to separate us any more. It is possible that a world league of all countries may overwhelm Germany, but it will not be possible to separate us again if Austria has decided for a union with Germany. And this is no threat to any country, I want to state that expressly. In no way do we threaten Czechoslovakia, on the countrary, Czechoslovakia now has the opportunity to reach with us a friendly and sensible settlement. They say (Czechoslovakia): "We, too, have not mobilized a single soldier in the West. Nothing has been changed in the present situation at all. "Everything under the condition that France will remain sensible and will not do anyt ing on her part. If, however, France should carry out a great mobilization at the border, then the fun could start.

R.: I think that they will sensible allright.

G.: We have a clear conscience which is decisive in this instance. We have a clear conscience before world history. It has never happened in the world before that somebody

H0786 -0028

should interfere when two brother peoples unite. This would be contrary of the peoples. That would really be a joke indeed.

R.: I had here a lengthy and detailed conversation above all with Halifax and explained to him the principles of our attitude, also in regard to the German-English understanding...

G.: I was going to say that, too. You know yourself, Ribbentrop, that I have always warmly supported a German-English understanding. If the English sincerely desire an understanding and if the English recoguize the equality of rights that we, too, are a proud, free people, nobody would be more glad than I. After all, we are two brother peoples.

R.: I want to tell you one thing, Mr. Goering; the other day, at breakfast, after the meal was finished, I spoke with Chamberlain too and got a good impression of him personally and he gave me a message, some information for the Fuehrer which I am going to transmit myself to the Fuehrer. Are you going to be in Berlin this afternoon ?

G.: I am in Berlin today. I have the Hero Memorial Day; but I want to say now, you will first have to remain in Berlin for a while. I received the special order from the Fuehrer that even every minister... you know otherwise, a

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H0786 – 0029

mass migration would start. It is said that no minister or official was at home.yesterday. I was said to have used 1000 planes. Of course, they all want to join in this ecstacy. Therefore, I had to hold the gentlemen back in a draconic manner.

R.: I cannot explain it very well over the telephone. But it would be better for me to leave today.

G.: I leave that entirely up to you.

R.: Otherwise, it is not all very clear. My talks are finished and if I should keep on sitting around here it would only look funny. But of Chamberlain I got quite an excellent expression.

G.: I am glad about that.

R.: The other day I had a long talk with him. I do not want to tell you anything about it over the telephone, but I have the impression that Chamberlain, too, has a sincere desire for an understanding. At this meeting, I told him that after the Austrian problem has been taken care of, an understanding between Germany and England will be much easier then before. I think he realized that, too.

G.: Listen, after the whole problem down there has been solved and a danger of excitement and disturbance no longer exists - that actually was the potential source of real danger.- The people should really be grateful to us for having eliminated this source of danger.

H0786 – 0030

R.: That is what I told them, too, and pointed out that a factor was removed which had been the cause for a lot of friction. Although temporary excitement is the immediate result in the long run this could only strengthen the great line of a German-English understanding. At the end of our long conversation I also told Halifax that we sincerely desire an understanding to which he remarked he was worried only on account of Czechoslovakia.

G.: No, no, that's entirely out of the question.

R.: I told him that we weren't interested in doing anything there and had no designs in that direction. On the countrary, if our Germans were treated sensibly, we should reach an understanding in this case, too.

G.: Yes, I, too, am convinced that Halifax is an absolutely sensible man.

R.: I got the best impression of both Halifax and Chamberlain. He thought at the moment there existed difficulties on account of our (the English) public opinion because it looked here as though force had been used etc. I have the feeling that the average Englishman, the man on the street, he will say what has England got to do with Austria. And, therefore, I believe that if the English Government were to tell Chamberlain today as Fuehrer....., for he is the Fuehrer. In the last few weeks, he has himself.....
If he really intervenes and really explains it in the sense in which I discussed it with him (3 words unintelligible)

H0786 – 0031

that the Fuehrer here at home as far as he can see.... this proves...

generally, such a plebiscite has never before taken place, we now have the evidence as to how Schuschnigg was going to carry out the plebiscite. (A few words unintelligible!) Every ballot in the box was a Yes-ballot. As No-vote only if somebody took a neutral ballot and wrote on it: "I vote no. Hermann Goering, Innsbruck, ?strasse 2."

R.: Incredible. The little man wouldn't have dared to do it at all.

G.: But listen, if the took a Yes-ballot and crossed it out with a pencil and wrote on it "no", then this ballot was regarded as "yes". If you took a ballot and tore it in two and dropped both parts, then because it was torn in two it counted not as one vote, but as two Yes-votes.

R.: Really ?

G.: As true as I am sitting here. Those are the secret things which still have to be published.

R.: Heavens, yes. I would publish it very soon, that is really incredible.

G.: Well, every torn ballot counted as two Yes--votes. If several ballots were torn up, they didn't take the trouble to put them together, but each torn-up part counted as one Yes--vote.

~~-30-~~

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H0786 - 0032

R.: Well this is really incredible!

G.: You ought to know how the voting was handled!

R.: Have we, - have we got any proof ?

G.: Yes, yes. Well - the voting was handled as follows:
You went to the place of voting and said: I am Mr. Meier "Yes Mr. Meier, hand in your ballot". Now they said at the end, yes at the end they had given orders to hand in the population register. Now Mr. Meier said, let's say, he happened to have the list and he made a check mark. Now Mr. Meier went to the next voting place in Innsbruck, they had the same population register, every place of voting had the population register. (Words unintelligible) There Mr. Meier said "I want to vote"."Yes Mr. Meier, please." A check mark was made. Now he went to the third voting place, where they had the same population register, because every voting place always had the entire population register.

R.: Well, this is really incredible!

G.: Now he voted for the third time. The only thing people were afraid of was the following: that more yes votes would be cast than there were eligible voters. But that would have made no difference, they just would have deducted them.

R.: They just would have deducted them

G.: I believe that Seyss I. thinks that by interrogating

H0786 – 0033

the officials he might find that they even had established beforehand the amount of yes and no votes and the number of uncast votes.

R.: (unintelligible)

G.: That would have been the most shameless election ever to take place.

R.: Immediately upon receiving the first reports I did not mince any words about the election which is a pure fraud, in my talk with Halifax several days ago.

G.: Now listen. Here is another swindle. Although there is a new foreign minister, the ambassadors - I believe also the one in London, Frankenstein (ph.) went there and still have obligations (hard to understand) to the former government - they made them come - and have falsified the remarks of the new minister according to their ideas. At present we are still investigating this. S.I. told me so yesterday. He also said that he has found out that there are still connections between the embassies abroad and underground forces, that is the dismissed members of the former government, and that these ambassadors advocate demands of the former government after the new government has taken over. Do you understand ?

R.: Yes.

G.: And particularly in London this is supposed to be the case.

R.: Yes, yes, Frankenstein himself ..... there are some people here, who, I believe, are very disagreeable.

HO786 – 0034

G.: What is Frankenstein himself like ?

R.: Well, toward us he really always was .... I do not know his real attitude - for the time being they have borrowed a swastika flag for today.

G.: Well, this is quite nice.

R.: Yes, this is quite nice, is it not! But I think he himself has always been loyal and decent towards me, I could not say otherwise; I do not know his real attitude. But there are a few people, here as you know, who are very disagreeable characters.

G.: Tell Frankenstein, that, of course, he now has to represent his present government.

R.: Yes, of course.

G.: Anyhow, S.I. told me yesterday, I do not know now, was it the Austrian ambassador in England or in Paris, I believe it was Paris, who has inquired whether it was true that the Austrian government had called the German troops. Thereupon he was told by the new Foreign Ministry that this was true. The man who got this answer then said that the new Foreign Ministry had said that the government had not called the troops. This is being investigated at present.

R.: Well there are some more birds who just want to have a finger in the pie, right ? Well thank you very much, Mr. Goering.

H0786 - 0035

G.: Why don't you come, it is beautiful here.

R.: I will come this afternoon to see you. Generally speaking I think it is a wonderful thing.

G.: I can tell you, I am boundlessly happy. You do not know how I have suffered particularly under the Austrian question. As a German this always depressed me very much. I could not get over the fact that four foreign powers were opposed to Germans wanting to join Germans, I could not understand this. I always felt this in the very marrow of my bones.

R.: I also believe, you know, that here within a short time - if I am not entirely mistaken - people will say it is really good that a problem has been solved so peacefully - it is really phantastic how peacefully the problem has been solved...

G.: Now listen, I do not ask for more than that the world respects the plebiscite in Austria as much as we respect it. If it does that, then I believe that certainly within the near future much more peaceful (unintelligible)....

R.: And then I believe we can also....

G.: And then you must say one more thing, Ribbentrop, in case the conversation should turn that way, this is very important. Today the Austrians are economically ruined.

- 2 -

H0786 – 0036

There is a terrific number of unemployed, a terrible misery. If Austria should decide for Germany we can immediately help those people with our great economic program. We can extend the Autobahn immediately, we can fix the highways, we can again buy lumber from the people, we can buy cattle, an then imagine, Austria has lived mainly on tourist trade. Imagine, if Austria now has decided for Germany, then I believe, there will not be a single German who will not go to Austria next summer.

R.: I believe that within a short time unemployment will have ceased to exist there completely.

G.: I also guarantee you, – I personally, I mean, as I am supposed to help there, – I am convinced that within 6 weeks there will be no unemployed left in Austria, all people will have work and in Austria itself.

R.: I wanted to say one more thing, however, I have not left any doubts in one matter, that is if, somehow, or wait, if in some form of threat or some things, which might enter into the matter, the Fuehrer and the whole nation will back up the whole matter a hundred percent.

G.: Confidentially, I can tell you the following: Beware, I can only say, here, where his homeland is at stake the Fuehrer. –

H0786 - 0037

- otherwise a cool man - is too much involved with his heart. I believe, if the man is threatened concerning the Austrian question, he will never give in, and I must point out, also the two nations will not give in. That would become a fanatic affair, in Germany as well as in Austria.

R.: Yes, obviously.

G.: There can be no doubt. Who threatens us now will meet with fanatic resistance by both nations.

R.: I think everybody realizes that completely....

G.: Yes, if they want that, okay. But this is just what I say, if there is a statesman anywhere in the world, who is unscrupulous enough to threaten with war or even make war because two German peoples want to embrace each other, that is to send millions of people to the battlefields in this affair - let him come. I would rather that my people be exterminated than that it gives in.

R.: I did not leave any doubt about this, but may I say that I believe that everybody is quite reasonable in this concern etc. I believe...

G.: I must say I cannot see any reason in it, that would be sheer madness. Then the world would have turned into a madhouse. It would be different if the people would oppose to the utmost a German invasion and would cry for help to the world. Then I could understand it. This is ridiculous.

H0786 – 0038

R.: Yes Mr. Goering...

G.: Well then you are coming. I am looking forward to your coming.

R.: I will come to see you this afternoon.

G.: The weather is beautiful here. Blue sky... I am sitting here, wrapped in blankets, on my balcony in the open and am sipping my coffee. Afterwards I have to drive into town and make the speech and the birds twitter and off and on we hear through the radio the immense elation of the people over there.

R.: This is wonderful.

G.: I only envy all those who could be there yesterday. I must sit here and hold the key position.

R.: Just before we heard something over the radio too.

G.: By the way, it is interesting, did you listen to the Fuehrer's speech in Linz ?

R.: No, unfortunately I did not hear it.

G.: That was for me the most interesting thing - the speech was quite short- the most interesting speech which I have ever heard the Fuehrer make. This man who is a master of words like nobody else, was hardly able to speak. It was not much he said, that was a man speaking who was moved to the depth of his soul. He called me later and said: "Goering, you cannot imagine, I did not remember how beautiful my native land is." Today he is going to the grave of his parents to deposit a wreath.

H0786-0039

Linz, just imagine, it is the first time in many years that he is in the city at the grave of his parents. How sad and grotesque the conditions were. Just imagine a short time before the appointment in Berchtesgaden during a search of my sister's home - she is married with the present minister of justice - the pictures of the Fuehrer and myself, her own brother, were taken along (next sentence unintelligible). Nothing was written about this.

R.: Was the Fuehrer very much moved?

G.: Yes, terribly. I believe this man is going through difficult days. They say there were scenes... By the way Ward Price is with him there.

R.: Yes I have read Ward Price's article this morning.

G.: About Linz ?

R.: By Ward Price, very good.

G.: Yes, I mean about Linz.

R.: About Linz, yes wonderful.

G.: This is interesting for me, because he, he is supposed to... directly with the Fuehrer....

R.: I know the Fuehrer turned to him and asked: Is this pressure ? Can you call this pressure or force, what you see here ?

G.: What does W.P. write ?

R.: Oh, he is writing very well, he writes ..... according to him it must have been tremendous.

64

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G.: Imagine, the small town with about 36.000 inhabitants, they say about half a million people had gathered there. Well come on out.

R.: So long and Heil Hitler !

G.: Heil Hitler !

Copy certified by:

(signed) Dr. Horn

Dr. Horn

Defense Counsel

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H0786 – 0041

Ri, Exhibit Nr. 2

Copy

Documents of German Polictis, Vol. VI, 1 page 200

Nr. 44a

the result of the popular note and the election to the Greater German Reichstag of 10 April 1938.

Yes votes	No votes	Total votes	Total of eligible votus	Percevtage of Yes votes of the total valid notes.
A: Result of popular vote in Austria.				
4,453,772	11,929	4,471,477	4,484,475	99,73
B. Result of popular vote in the Old Reich Territory				
44,451,401	442,981	44,964,228	45,150,443	99,01
C. Result of the Greater German Reichstag election.				
48,850,452	454,844	49,380,896	49,580,072	99,08

For the accuracy of the copy:

signed: M. Hornn

(Dr. Horn, attorney-at-law.)

H0786 -0042

Ri-Exhibit No.13

C o p y

from "THE ARCHIVE" (DAS ARCHIV) Volume 1937/38

Page 1691 / 92 Sa. 14 March 38

Chamberlain' Statement in the House of Commons

.....

Paragraph 5:

Following Chamberlain's statement in the House of Commons, a discussion about the events in Austria took place in which the representatives of the opposition and various representatives of the conversativ party demanded the summoning of the League of Nations. The discussion was closed by Undersecretary of State Butler with the following statement:

"The English government discussed the new situation with "friends"of the Geneva Entente" and it was unanimously agreed that a discussion of the situation in Austria in Geneva would not bring satisfactory results, but that the result would probably again be some kind of humiliation. The Undersecretary of State stated that England had never assumed any special guaranty for the "independence" of Austria which had been forced in the treaty of St.Germain".

.....

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Copy certified by:

(signed) Dr. Martin Horn

attorney

22

H0786 - 0043

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Copy.

Doc. Nr. 2307-PS

Reich Legal Gazette 1938 Part I. pp. 237-238

Law
governing the incorporation of Austria into the
German Reich.
of March 13, 1938

The Reich Government has decided on the following law proclaimed herewith:

Article I

The constitutional law decided upon by the Austrian Federal Governme concerning the incorporation of Austria into the German Reich of 13 March 1938 becomes hereby a German Reich law; it reads as follows:

" By virtue of article III, paragraph 2, of the Federal Constitution concerning extraordinary measures within the constitution, Bundesgesetz-blatt I Nr. 255, 1934, the Federal Government (Bundesregierung) has decide

Article I : Austria is a land of the German Reich.

Article II : On Sunday, 10 April 1938, a free and secret plebiscite of the German men and women of Austria over twenty years of age will be held on the question of the incorp ration of Austria into the German Reich.

ArticleIII : The plebiscite will be decided by the majority of the votes cast.

Article IV : The regulations necessary for the execution and completion of article II of this constitutional law will be announced by decree.

Article V : This constitutional law will take effect on the day of publication.

The federal government is charged with the

H0786 - 0044

execution of this constitutional law.

Vienna, 13 March 1938."

Article II

The law at present in effect in Austria will remain in force until further notice. The introduction of the Reich law code in Austria will be effected by the Fuehrer and Reichchancellor or by a Reich Minister authorized by him.

Article III

The Reich Minister of the Interior is authorized to decree the legal and administrative regulations necessary for the execution and completion of this law in agreement with the respective Reich Minister.

Article IV

The law will be effective as of the date of publication.

Linz, 13 March 1938.

The Fuehrer and Reich Chancellor

Adolf Hitler

The Reich Air Minister

Goering
General Field Marshal

The Reich Minister of the Foreign Office

von Ribbentrop

The Reich Minister of the Interior

Frick

The Deputy of the Fuehrer

R. Hess

3786

Copy certified by:

(signed) Dr. Horn

Dr. Horn

Defense Counsel

Ri.Exhibit No 45

H0786-0045

Excerpts from the book

"Warnings and Predictions"

by Viscount Rothermere.

135

p. 137, last paragraph

"The State or nation Czechoslovakia never existed, but there was a Kingdom of Bohemia in the middle ages, the independence of which ended in 1620..... The frontiers of this State, however, showed no resemblance to the post-war creation of Czechoslovakia.

p. 150, paragraph 3

"Before and during the war the Czechs were one of those nations subject to the Austro-Hungarian Empire. Only the fact that the Czech soldiers deserted in unusual numbers made it possible for overactive friends of Czechoslovakia in England and America to make them look like a surpressed nation which would have a right for indulgence and recognition on the part of the Allies.

p. 138, paragraph I

"The Alliance of the Czechs with the Slowaks was merely the result of a conference held at Pittsburg during the war; on that occasion the Slowaks declared their willingness to support the Czech demands, if a peace conference should assemble; previous to that they were guaranteed an autonomous self-administration for their nation in any future Czechoslovakian State, no matter how this State should be created .....

H0786 - 0046

p. 151, paragraph I

"When the document was put before the peace conference nobody remembered to mention that the Czechs and Slowaks who agreed to it were all American citizens and hardly entitled as such to decide the fate of Central Europe .....

x x x

p. 151, paragraph 2

"But Czechs and Slowaks counted together only a total of 6½ millions. Therefor the Czech leaders gave some imaginary reasons, the contradiction of which the peace delegates did not wish to admit on account of the hurry in which they were, and insisted that they possessed further claim on the annexation of large unified groups of people of entirely different races.

x x x

p. 138, paragraph 2

"In order to find a territory for this conglomerated state, the peace delegates in Paris had to use methods which were in direct contradiction to the openly proclaimed principle of self-determination. Not only three million German-Austrians were incorporated but the frontiers of this territory were expanded towards the South also to incorporate a unified population of 1 million Hungarian; their race and language differed entirely from that of the Czechs. These people and the Hungarian delegation at the peace conference protested violently but in vain against their fate ....

H0786 – 0047

p. 151, paragraph 4

"Both these unified groups of aliens have since been kept as prisoners in Czechoslovakia. They were delivered to the Czechs with no more deliberation than if they had been cattle, and are treated by Czech authorities with no more consideration of their rights and feelings.

pp. 151/152, last paragraph

"As prisoners of a nation, notorious for her petty baseness, they are subject to the most coldblooded confiscation and suppression. No effort was lost to wipe out their languages, and the Czech police has tried to break the people spiritually by permanent persecutions.

pp. 161/162 Rothermere mentions a quotation by Lloyd George from The Truth about the Peace Treaties, Vol. II

"On 5 February 1919 the peace conference asked Dr. Benesch, the minister president of the new Czechoslovakian State, to present his case. He presented it very cleverly and shrewdly. He left out or belittled the fact that he demanded the incorporation of people into Czechoslovakia, who, according to the principle of self-determination would have voted for other States. The demands which he put up for the new republic were full of assurances of moderation, modesty and reserve. He interlaced his speech with quotations which were dripping with demonstrations of sympathy for the praised ideals which were proclaimed by America and

H0786 - 0048

the Allies in their crusade for international right."

This is how Czechoslovakia was created.

And another quotation from Rothermere

p. 140, paragraph 2

"The situation of this post-war republic is by no means secure. In private affairs the mixed elements from which it is composed - Czechs, Slowaks, Hungarians, Germans, Moravians, Poles and Rutheniens,- confront each other - in such a hostile manner that the disappearance of the State by a sudden desintegration from within is possible at any time. For this reason it is the powder keg of Europe .....

p. 140, paragraph 3

One thing is certain - Czechoslovakia cannot continue her present exploitation of the population subjugated to her, regardless of whether they are of Hungarian, German, Austrian or another nationality .....

p. 144

On 26 March 1929 I was asked to participate in a discussion which was arranged by the Daily News and the Westminster Gazette about the "next war". My contribution contained the following words, which predicted the occurences of March 1938 precisely:

H0786 – 0049

p. 144, last paragraph

"Nobody with open eyes can travel in Central Europe today or can only study a map showing the torn up political territories, without recognizing how thoughtlessly the real and vital interests were trampled upon, when this arbitrary and stupid redistribution of the territory was made.

p. 145, paragraph 1

"All natural principles were cast away when the frontiers were established. The new borders did not have any ethnographic nor geographical nor economic justification. They created a permanent state of uneasiness, friction and discontent in Central Europe, which, if not eliminated, will unavoidably lead to a new war."

x x x

p. 157

"I cannot imagine even for a moment that Great Britain would quitly have looked on for 20 years, if three and a half million Britons had lived on the English border under the whip of a thoroughly detested nation who speaks a foreign language and has an entirely different national world philosophy. If I know my compatriots, they would have interfered after a very few years of such an oppression."

Copy certified by:

s/ Dr. Horn

Attorney at Law.

H0786 - 0050

TRANSLATION OF DOCUMENT NO. 2855-PS
Office of U.S. Chief of Counsel

Decipherment

From Foreign Office 16 Sept. 38 1845 hours.

To Embassy 16 Sept. 38 Secret Cipher
page No. 2760

No. 232 of 16 Sept. 38

Tonight 150 subjects of Czechoslovakia of Czech blood were arrested in Germany. This measure is an answer to the arrest of Sudeten Germans since the Fuehrer's speech of 12 September. I request you to ascertain the number of Sudeten-Germans arrested since 12 September as extensively as possible. The number of those arrested there is estimated conservatively at 400 by the Gestapo. Cable report.

Woermann

(Handwritten note follows)

Impossible for me to ascertain these facts as already communicated to the proper agent (Gesch. Träger)

17/9

(signature illegible).

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2855-PS

15 Nov. 1945.

I, WILLARD EVANS SKIDMORE, Lt (jg) U.S.N.R. 391590, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2855-PS.

WILLARD EVANS SKIDMORE
LT (jg) U.S.N.R.
391590

TRANSLATION OF DOCUMENT NO.2854-PS
OFFICE OF U S CHIEF OF COUNSEL

DECIPHERMENT

From Foreign Office: 17 Sept
To Embassy: 17 Sept

1520 hours
Secret Cipher
(2762-65)

No. 234 of 17
citissime

I. I request you to inform the government there of the following immediately:

(The Reich cabinet has decided that

a) as many Czech citizens of Czechoslovakian blood ((Czech-speaking Jews included)) shall be apprehended, as Sudeten Germans have been arrested in Czechoslovakia since the beginning of the current week.

b) in the case of the execution of the death-sentences pronounced against Sudeten Germans on the basis of the martial law, an equal number of Czechs will be shot in the Reich)

For your information:

The measure mentioned under a) has already been carried out, inasmuch as 150 Czech subjects have been arrested here. Decent treatment has been promised by the Gestapo. The Czech ambassador protested yesterday against those arrests, without special instructions, for the time being. He was told that they constituted counter-measures for the arrests of Sudeten Germans.

II. I ask you to inform us at once, constantly by phone with cabled confirmation should the pronouncement or execution of the death sentence, on the basis of the martial law, become known.

III. I ask you, as already communicated by phone, to inform us as quickly as possible about the total number of Sudeten Germans who were killed or wounded during riots since 12 September, if possible with the designation of names, places of birth and date (last group from AA not given).

WOERMANN

CERTIFICATE OF TRANSLATION OF
DOCUMENT NUMBER 2854-PS

I, Gerard Schaefer, 2nd Lt., Inf., O-1332102, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2854-PS.

GERARD SCHAEFER
2nd Lt., Inf.
O-1332102

H0786-0051

H0786-0052

TRANSLATION OF DOCUMENT NO. 2853-PS
OFFICE OF U.S. CHIEF OF COUNSEL

DE-CYPHER

From Foreign Office Berlin 24.9 1905

To Embassy Prague 24.9 2000

Secret Cypher
Bl 2101/2102

Telegram No. 268. Foreign Office, Berlin to German Embassy, Prague on 24.9.1938

According to information received here Czechs have arrested 2 German frontier-policemen, seven customs-officials and 30 railway-officials. As countermeasure all the Czech staff in Marschegg were arrested. We are prepared to exchange the arrested Czech officials for the German officials. Please approach Government there and wire result.

(signed) WOERMANN

HMP/HLB

18 998

- - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2853-PS

I, Evelyn E.F. Glazier, P.O., WRNS, 37371, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2853-PS.

EVELYN E.F. GLAZIER
P.O., WRNS, 37371

H0786-0053

TRANSLATION OF DOCUMENT NO. 2856-PS
OFFICE OF U S CHIEF OF COUNSEL

Decipherment

From Foreign Office Berlin 24 September 1556 hours
To Embassy Prague 24 September 1800 hours.

Secret Cipher
pages 2795 and 2797

No. 263 of 24 September 1938

To telegrams No. 432 and 435.

Embassy authorized to agree to mutual arrangements for the possible necessary removal from there of 500-600 Reich Germans by special train.

At discretion to agree with the government there the rail-line frontier-place and time of transfer of the people to be returned. Cable report.

Confidential:

Yielding of the Czech hostages arrested here for the prevention of the execution of any sentences passed by military courts against Sudeten-Germans is, of course, out of question.

Woermann

16 November 1945

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2856-PS

I, Willard E. Skidmore, Lt (jg), USNR, 391590, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2856-PS

Willard E. Skidmore
Lt (jg), USNR, 391590

H0786-0054

TRANSLATION OF DOCUMENT 2788-PS
OFFICE OF U S CHIEF OF COUNSEL

TOP SECRET
(Instructions for handling omitted)

TOP SECRET
POL I 789 g (N)

SECRET

Notes
on the Conference on 29 March 1938, 1200 hours,
in the Foreign Office
on Sudeten German Questions.

In this conference the gentlemen enumerated in the enclosed list participated.

The Reichsminister started out by emphasizing the necessity to keep the conference which had been scheduled strictly a secret; he then explained, in view of the directives which the Fuehrer himself had given to Konrad Henlein personally yesterday afternoon that there were two questions which were of outstanding importance for the conduct of policy of the Sudeten German Party:

1. The Sudeten Germans must realize that they are backed up by a nation of 15 million which will not tolerate a continued suppression of the Sudeten Germans by the Czechoslovak Government.

2. It is the task of the Sudeten German Party to formulate such demands from the Czechoslovak Government as it deems necessary in order to obtain the privileges desired by it.

The Foreign Minister explained in this connection that it could not be the task of the Reich Government to give Konrad Henlein, whose position as the leader of the Sudeten Germans has been expressly acknowledged and again confirmed by the Fuehrer, detailed suggestions about what to demand from the Czechoslovak Government. It is essential to propose a maximum program, which as its final aim grants full freedom to the Sudeten Germans. It appears dangerous to be satisfied prematurely with the consent of the Czechoslovakian Government; this on the one hand would give the impression abroad that a solution has been found, and on the other hand would only partially satisfy the Sudeten Germans. In any case, caution is the proper thing, because one cannot have any confidence in the assurances at BENES and HODZA according to past experiences. The aim of the negotiations to be carried out by the Sudeten German party with the Czechoslovakian Government is finally this: to avoid entry into the Government by the extention and gradual specification of the demands to be made. It must be emphasized clearly in the negotiations that the Sudeten German Party alone is the party to the negotiations with the Czechoslovakian Government, not the Reich cabinet (REICHSREGIERUNG). The Reich cabinet itself must refuse to appear toward the Government in Prag or toward London and Paris as the advocate or peacemaker of the Sudeten German demands. It is a self-evident prerequisite that during the impending discussion with the Czechoslovak Government the Sudeten Germans would be firmly controlled by Konrad Henlein, would maintain quiet and discipline, and would avoid indiscretions. The assurances already given by Konrad Henlein in this connection were satisfactory.

H0786-0055

Following these general explanations of the Reich Minister the demands of the Sudeten German Party from the Czechoslovak Government as contained in the enclosure were discussed and approved in principle. For further cooperation, Konrad Henlein was instructed to keep in the closest possible touch with the Reichminister and the Head of the Central Office for Racial Germans (mit dem Leiter der Volksdeutschen Mittelstelle), as well as the German Minister in Prague, as the local representative of the Foreign Minister. The task of the German Minister in Prague would be to support the demands of the Sudeten German Party as reasonable, not officially, but in more private talks with the Czechoslovak politicians without exerting any direct influence on the extent of the demands of the Party.

In conclusion there was a discussion whether it would be useful if the Sudeten German Party would cooperate with other minorities in Czechoslovakia, especially with the Slovaks. The Foreign Minister decided that the Party should have the discretion to keep a loose contact with other minority groups if the adoption of a parallel course by them might appear appropriate.

Berlin, 29 March 1938.

R (Initial)

H0786-0056

TRANSLATION OF DOCUMENT 2788-PS
OFFICE OF U S CHIEF OF COUNSEL

List of those present in the conference on
Sudeten German Questions
on Tuesday, 29 March 1938 1200 hours

Present:

Reichsminister von Ribbentrop	)	
State Secretary von Mackensen	)	
Ministerial Director Weissaecker	)	
Ambassador Eisenlohr – Prag	)	
Ambassador Stiehe	)	
Vortr. Legationsrat von Twardowski	:	FOREIGN
Legationsrat Altenburg	)	OFFICE
Legationsrat Kordt	)	
SS Obergruppenfuhrer Lorenz	)	
Prof. Haushofer	)	Central Office for Racial Germans (VOLKSDEUTSCHE MITTELSTELLE)
Konrad Henlein	)	
Karl Hermann Frank	)	
Dr. Kuenzel	:	SUDETEN GERMAN
Dr. Kreissl		PARTY.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2788-PS

11 November 1945

I, LUDWIG HARTMAN, T/4, ASN 37446052, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of the Document No. 2788-PS.

LUDWIG HARTMAN
T/4, ASN 37446052

H0786-0057

TRANSLATION OF DOCUMENT 3060-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Prague, 16 March 1938

Foreign (Office), Berlin
Cipher Cable (Secret Proced.)
No. 57 of 16 Mar.
With reference to cable order No. 30 of 14 March.

Rebuff to Frank has had a salutary effect. Have thrashed out matters with Henlein, who recently had shunned me, and with Frank separately and received following promises:

1. The line of German Foreign Policy as transmitted by the German Legation is exclusively decisive for policy and tactics of the Sudeten German Party. My directives are to be complied with implicitly.

2. Public speeches and the press will be coordinated uniformly with my approval. The editorial staff of "Zeit" (Time) is to be improved.

3. Party leadership abandons the former intransigent line which in the end might lead to political complications and adopts a line of gradual promotion of Sudeten German interests. The objectives are to be set in every case with my participation and to be promoted by parallel diplomatic action. Laws for the protection of nationalities (Volksschutzgesetze) and "territorial autonomy" are no longer to be stressed.

4. If consultations with Berlin agencies are required or desired before Henlein issues important statements on his program, they are to be applied for and prepared through the Mission.

5. All information of the Sudeten German Party for German agencies is to be transmitted through the Legation.

6. Henlein will establish contact with me every week, and will come to Prague at any time if requested.

I now hope to have the Sudeten German Party under firm control, as this is more than ever necessary for coming developments in the interest of foreign policy. Please inform ministries concerned and Mittelstelle (Central Office for Racial Germans) and request them to support this uniform direction of the Sudeten German Party.

(Initial illegible).

(Five names and initials omitted)

CERTIFICATE OF TRANSLATION
OF DOCUMENT 3060-PS

26 November 1945

I, LUDWIG HARTMAN, T/4, 37446052, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 3060-PS.

LUDWIG HARTMAN
T/4, 37446052

H0786-0058

C o p y

151

from "Documents on German politics"

Vol. 6 I (p. 394)

The Embassy of the Czechoslovakian Republic in Paris.

Number 1075 /confidential/ 38

O/D

Concerns: The sense and purpose of Lord Runcimann's mission to prague.

Paris, 5 August 1938.

S e c r e t .

Your Excellency ! Massigli thinks that Lord Runcimanns voyage to Prague is a good thing. In a talk with Ambassador Corbin (French Ambassador in London), Anthony Eden mentioned that after careful consideration Lord Runcimann's mission to Prague would be a good step; for it will presumably engage England more in Central Europe than has been the case up to now. Massigli says that the English know that there will be war and that they try with all means to delay it. He recognizes perfectly well that Lord Runcimann's mission to Prague for the purpose of eliminating the conflict, presents in itself certain dangers for Czechoslovakia; for, presumably in the interest of gaining time, Lord Runcimann would be able to suggest something, which could be tremendously disadvantageous for Czechoslovakia.

To this opinion of Massigli I add further information which is exceedingly instructive. During the Grain Conference, which recently took place in London, the English, the Dominions, America and France conducted their own, separate discussions. The French delegate talked to Ministers Elliot (British Minister of Health) and Morrison (British Minister for Agriculture) as well as to the eminent expert Sir Arthur Street, who was a member of the Ministry for Agriculture and has been charged with an important task in the Ministry for Air.

The French delegate gained the positive impression from the speeches, the attitude and the negotiations of the English faction that the English are not interested in organizing the grain supply because they want to prevent a conflict, but because they want to win the conflict.
The Ministers Elliot and Morrison are both said to believe in the eventuality of a conflict.

Sir Arthur Street said that he will have order in English aeronautics within 6 months. Therefore, such importance is given to gaining time in England.
I mention this information here in connection with Lord Runcimann's mission to Prague ; for, as I said already, the question of gaining time plays an important, if not a decisive part in sending Lord Runcimann to Prague .....
I cordially greet you

yours respectfully,

Osusky e.h.

Dr. Kamil Krofta,
Minister of Foreign Affairs

in Prague"

Copy certified by:

signed: Dr. Martin Horn

Attorney at Law

H0786-0059

Ri. Exhibit No. 47

Copy

From White Book No. 2

Documents on the history preceding the war

No. 217

Joint Declaration of the Fuehrer and the British Prime Minister Chamberlain, Munich 30 September 1938.

We have had a further dicussion to-day and we both agree in the realization that the question of German-English relations are of primary importance for both countries and for Europe.

We consider the agreement signed yesterday and the German-English naval agreement as symbolic of the desire of the two peoples never again to fight each other .

We are determined also to treat other questions, concerning our two countries, by way of consultation, and to try further to eliminate possible causes for differences of opinion and to contribute therewith to the peace of Europe.

Adolf Hitler Neville Chamberlain

Copy certified by:

Dr. Martin Horn

Attorney-at-law.

H0786-0060

H0786-0061

Ri. Exhibit Nc. 48

Copy

from White Book Nc. 2

154

Documents on the history preceding the war.

Nc. 218

From the Speech of the British Prime Minister Chamberlain in the House of Commons, 3 October 1938

(translation)

Par.1 ..... I believe there are many who will agree with me that such a declaration as was signed by the German Reich Chancellery and myself is more than an pious exchange of opinion. For our relations to other countries everything depends upon the existance of sincerety and good will on both sides. I believe that in this case sincerety and good will will on both sides exist. That is the reason why the importance of this declaration to me goes far beyond its actual wording. If their is a lesson we can learn from the experiences of these last weeks it is the fact that lasting peace cannot be attained by sitting still and waiting for it. Active and positive efforts are required to attain this peace.

Par.2 We, in this country have already been busy for a long time with a re-armament program whose speed and extent increases constantly. Nobody should believe that - because of the signing of the Munich agreement by the four powers - we can at present afford to reduce our efforts regarding this program

H0786-0062

Disarmament for this country can never again be onesided .....

Copy certified by:

Dr. Horn

Attorney-at-Law.

H0786-0063

Ri.Exhibit No 49

156

C o p y

from W h i t e B o o k N o 2

Documents Pertaining to the Origin of the War.

No 220

Speech by Mr. Hore-Belisha, British Secretary of State for War, in the Mansion House, London, October 10, 1938

Extract

Para 1 ..... More still, however, is to be done to give full force and opportunity to the Territorial Army as a whole.

Para 2 ..... This Army must, with modifications appropriate to its peculiar character, be given the same content and put on the same footing as the Regular Army. Look at it today ! Nominally organized in divisions, it is deficient in many of the up-to-date units which the Regular Army has, and the necessary proportion of arms and services are lacking. These shortcomings must be made good.

.....

Para 5 ..... As regards the formation organization, infantry brigades will in future have three battalions, as in the Regular Army, instead of four. Employing the material that we have, we find that we can form nine complete divisions on the Regular model. .....

157

Para 6 We have provided also a considerable number of modern corps and Army suits, such as Army Field and Survey regiments. R.A. and Corps Signals will be ready to take their place in such formations should war eventuate. This is also in accordance with Regular Army organization.

Copy certified by :

Dr. H o r n

Attorney-at-Law

H0786-0064

H0786-0065

Ri.Exhibit No 50

15a

C o p y

from W h i t e B o o k N o 2

Documents Pertaining to the Origin of the War.

No 223

Extract from a Speech by Mr. Winston Churchill, Broadcast to the United States of America, October 16, 1938

(... Men)

Para 1 ..... We must arm. If, through an earnest desire for peace, we have placed ourselves at a disadvantage, we must make up for it by redoubled exertions, and, if necessary, by fortitude in suffering. We shall no doubt arm.

Para 2 Britain, casting away the habits of centuries, will decree national service upon her citizens. The British people will stand erect and will face whatever may be coming. But arms-instrumentalities - as President Wilson called them - are not sufficient by themselves. We must add to them the power of ideas.

Para 3 People say we ought not to allow ourselves to be drawn into a theoretical antagonism between Nazidom and democracy, but the antagonism is here now.

Para 7 Is this a call to war ? I declare it to be the sole guarantee of peace. The swift and resolute gathering of forces to confront not only military but moral aggression; the resolute and sober acceptance of their duty by the English-speaking peoples

159

and by all the nations, great and small, who wish to walk with them ; their faithful and zealous comradeship would almost between night and morning clear the path of progress .....

Copy certified by :

Dr. H o r n

Attorney-at-Law

H0786-0066

H0786-0067

Ri Exhibit No. 51

160

Copy

from the White-Book No. 2

Documents on the Pre-History of the War

No. 226

Statement of the British Undersecretary for Air, Sir K. Wood in House of Commons on 16 November 1938

Excerpt

(Translation

1rst par. Negotiations with the representatives of Canadian industry have now been successfully concluded and agreements have been signed according to which His Majesty's Government in the United Kingdom has given the first order for the manufacture of heavy bombers. The Canadian airplane factories concerned have all obligated themselves to maintain their production capacity for the next ten years for the purpose of meeting possible further orders should this be necessary.

3rd par. ..... Beyond the effected agreements concerning the massproduction of heavy bombers, negotiations are now going on in London with two Canadian companies the subject of which is the manufacture of fighte and reconnaissance planes; the manufacture should take place in Fort William and Vancouver. .....

Copy certified by:

(no handwritten signature)

Dr. Horn

Attorney-at-Law

Ri.Exhibit No 52

161

C o p y

from the W h i t e - B o o k N o 2

Documents Pertaining to the Origin of the War.

No 234

The German Ambassador in London to the Foreign Office

Report

(Translation)

London, January 9, 1939

Para 1 President Roosevelt's message of January 4, in the first part of which he launched an attack against the totalitarian states, has been received by public opinion and by the press of all parties with overwhelming approval. .....

von Dirksen

Copy certified by :

Dr. Horn
Attorney-at-Law

H0786-0068

H0786-0069

Ri. Exhibit No. 53

C o p y

102

from the W h i t e - B o o k No. 2

Documents on the Pre-History of the War

No. 237

Radio Address of the British Prime Minister Chamberlain on 23 January 1939

Excerpt

(Translation)

1 par. This evening I would like to tell you something about the Government's plan of intruducing voluntary national service .....

3 par. The plan is meant to make us ready for war. That does not mean that I believe that war will come. You know I have done everything in my power in order to preserve the peace for us and also for all others.

4 par. We in our country would never start a war. But we could be forced to participate in a war started by someone else, or we could ourselves be attacked if the Government of another country should be of the opinion that we could not defend ourselves effectively.

.....

Copy certified by:

(no handwritten signature)

Dr. Horn

Attorney-at-Law

H0786-0070

Ri Exhibit No 55

103

Copy

from White-Book No 2

Documents Pertaining to the Origin of the War

No 221

The German Ambassador in Paris to the Foreign Office

Report

(Translation)

Paris, October 12, 1938

Para 3 I heard also that the Chief of the British General Staff intends primarily to inquire into the technical condition of the French Air Force, about which very unsatisfactory information had reached him. Great Britain also intends, it is said, to dissuade France from making further purchases in the United States of America, and is offering British types as an alternative. The alleged reason for this is that, in the event of war, the joint commander-in-chief to be appointed for the British and French Air Forces would be in a better position to judge what tasks could be expected of the French squadrons.

By Order

B r a e u e r

Copy certified by :

Dr. Horn

Attorney-at-Law

H0786-0071

Ri Exhibit No 56

164

C o p y

from W h i t e B o o k No 2

Documents Pertaining to the Origin of the War.

No 227

The German Ambassador in London
to the Foreign Office

Telegram

(Translation)

London, November 22, 1938

Paragraph 1 The Prime Minister informed the House of Commons yesterday that no definite program has been arranged for the visit of Mr. Chamberlain and Lord Halifax to Paris. .....

Paragraph 2 The talks on the armament question will be of a general character, for no military experts will be present. Both parties are desirous of remedying the deficiencies which became obvious during the September crisis. Britain's chief interest will be centered on the strengthening of the French air force, especially on the increase of French bombing planes, since the present fighting standard of the French air force is generally considered rather poor. . In view of the situation created by the loss of Czechoslovakia as military ally, the French are anxious to obtain assurances from Britain regarding the strengthening of a British Expeditionary Force in case of an emergency. ....

D i r k s e n

Copy certified by :

Dr. Horn

Defense Counsel

H0786-0072

Ri.Exhibit No 57

115

Copy

from the White-Book No 2

Documents Pertaining to the Origin of the War.

No 226

The German Ambassador in Paris to the Foreign Office

Telegram

(Translation)

Paris, November 25, 1938

Para 1 The Anglo-French talks, which took place yesterday, concluded with the publication of an official communique and broadcast statements by both premiers. They affirmed that the talks had taken place in a spirit of complete concord, and that they had achieved their object of agreeing to follow a common line of policy in both countries, particularly with regard to national defense and diplomatic action. .....

Para 2 French demanded in particular assurance of a strong British Expeditionary Force ; British, a considerable increase in the strength of the French air force; and both Powers, the safeguarding of the lines of communication between the two countries and their colonies. .....

Welczek

Copy certified:

Dr. Horn

Attorney-at-Law

H0786-0073

Ri.Exhibit No 58

166

C o p y

from the W h i t e - B o o k N o 2

Documents Pertaining to the Origin of the War.

No 229

Speech by Mr. R.S. Hudson, Secretary, Overseas Trade Department, in the House of Commons, November 30, 1938

Extract

Para 3 ..... I am trying to explain that by these methods Germany is obtaining a stranglehold on the countries in that part of Europe ..... Hon. Members ask : "What is the solution here ?" .....

Para 4 ....., We have made a survey of all possible methods, and the only way we see is by organizing our industries in such a way that they will be able to speak as units with their opposite numbers in Germany and say, "Unless you are prepared to put an end to this firm of treatment, unless you are prepared to come to an agreement to sell your goods at prices which represent a reasonable return, then we will fight you and beat you at your own game."

.....

Copy certified:

(no handwritten signature)

Dr. Horn

Attorney-at-Law

1(4

Copy

From White Book No 2

Documents Pertaining to the Origin of the War.

No 231 Speech by Mr. Malcom Mac Donald,
British Secretary of State for the Colonies,
in the House of Commons, December 7, 1938.

Extract

(Translation)

..... I do not believe that there is today any section of opinion in this country that is disposed to hand over to any other country the care of any of the territories or peoples for whose government we are responsible, either as a colonial or as a mandatory Power. That view has been expressed this afternoon in every part of the House, and it is a view which is shared by His Majesty's Government. We are not discussing this matter; we are not considering it; it is not now an issue in practical politics.

.....

Copy certified by

Dr. Horn

Defence Counsel

H0786-0074

168

C o p y

from W.h i t e B o o k N o 2

Documents Pertaining to the Origin of the War.

No 232

The German Ambassador in Paris to the Foreign Office.

Report

Paragraph 1 Paris 10 December 1938.

On December 7, Mr. Duff Cooper gave a lecture in the Theatre des Ambassadeurs in Paris on the subject of "Anglo-French Friendship and Peace." In the course of his remarks - which were of a war-mongering nature and directed throughout against Germany, at times even in an insulting manner - the speaker emphasized the necessity for an Anglo-French coalition for the safeguarding of the interests of both countries. He said that even though Germany was strong, these two peoples together were a match for her, and that there was absolutely no reason for the eventual outcome of any conflict to be in Germany's favor. Mr. Duff Cooper found consolation in stating that, in case of war, America, as the staunch friend of the Western Democracies, would back them up. .....

By Order

B r a e u e r

Copy certified by Dr. Horn

Defense Counsel

H0786-0075

H0786-0076

Ri.Exhibit Nr. 61

C o p y

109

from W h i t e B o o k Nr. 2

Documents pertaining to the origin of the war.

Nr. 24o

Speech by Mr. Chamberlain, British Prime Minister,

in Birmingham, January 28, 1939.

Extract

(Translation)

. . . . . .

Para-
graph 7 Today the air is full of rumors and suspicions which ought not to be allowed to persist.

For peace could only be endangered by such a challenge as was envisaged by the President of the United States in his New Year message, namely-by a demand to dominate the world by force. That would be a demand which, as the President indicated and I myself have plainly already declared, the democracies must inevitably resist. . . . . .

Copy certified by:

Dr. Horn
Defense Counsel

H0786-0077

Ri Exhibit No 62

110

Copy

from White Paper No 2

Documents Pertaining to the Origin of the War.

No 242

Speech by Mr. Chamberlain, British Prime Minister,
in Blackburn, February 22, 1939

Extract

(Translation)

Para 2 During the last two days we have been discussing in the House of Commons the progress of our rearmament. The figures are indeed staggering. Perhaps they have got so big that people have ceased to be able to take them in. But I must try to give you some idea of the size and pace of our rearmament as measured by the cost.

Para 3 During the first five years of National Government, 1931 to 1935, the average expenditure on the Defense Services was £ 114,000,000, but in 1936 it was £ 186,000,000, in 1937 it was £ 265,000,000, in 1938 the estimated expenditure was £ 406,000,000 and the Estimates for the next financial year, including expenditure on civilian defense, have actually jumped up to £ 500,000,000. .....

Para 4 ..... Ships, guns, aeroplanes and munitions are now pouring

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para 4 .....China, [illegible], [illegible], [illegible] are not pouring out of yards and factories in a stream which is constantly increasing in volume, and the position today, even as compared with a few months ago, has been enormously strengthened.

para 6 And when we reflect that what we are now considering is the effort of this country alone, without taking any account of the contribution that could be made, if need arose, by the great Dominions or by our allies and friends outside the British Empire, we may well feel that, to quote our own Shakespeare,

"Come the three corners of the world in arms
And we shall shock them."

Copy certified by

Dr. Horner

Defense Counsel

H0786-0078

H0786-0079

Mi. Exhibit No 63

172

Copy

from Documents of German Politics, volume 7 I (page 9)

I a Telgram from the Fuehrer to the Slovak Prime Minister Dr. Tiso of 16 March 1939 (I)

I confirm receipt of your telegram of yesterday and herewith assume the protection of the Slovak State.

sgd. Adolf Hitler

1) .....

Dr. Tiso who had been elected Prime Minister by the Slovak Parlament on 14 March 1939 and who together with Minister Dr. Durcansky had been received by the Fuehrer in the new Reich Chancellory "for the purpose of discussing undecided questions, had directed the following telegram to General Fieldmarshal Goering, the Fuehrer not having been present in Berlin at taht time:

"I ask you to transmit the following to the Fuehrer and Reich Chancellor: In fullest reliance upon you, the Fuehrer and Reich Chancellor of the Greater German Reich, the Slovak State places itself under your protection.

The Slovak State requests you to assume this protection.

sgd:Tiso."

Copy certified by

Dr. Martin Horn

Defence Council

H0786-0080

Ri. Exhibit No 64

1/3

C o p y

from Documents of German Politics Volume 7 I (pp.10/12)

I.b. Treaty concernin the protective relationship between tch German Reich and the Slovak State, dated 18-23 March 1939.

The Slovak State having placed itself under the protection of the German Reich, the German Government and the Slovak Government have agreed to regulate the consequences resulting from this action by means of a treaty. For this purpose the Plenipotentiaries of the two Governments whose signature appear below have agreed upon the following stipulations:

Artic1 1

The German Reich assumes the protection of the political independence of the Slovak State and the integrity of its territory.

.....

Artic1 4

In accordance with the protective relationship agreed upon, the Slovak Government will conduct its foreign policy always in close co-operation with the German Government.

Vienna, 18 March 1939

Berlin, 23 March 1939

Copy certified by

Dr. Martin Horn

Defence Councel

Ri. Exhibit Nr. 65

C o p y

taken from: Documents of German Politics Vol. 7 I (p.10)

1 b. Agreement concerning the security status (Schutzverhaeltnis) between the German Reich and the Slovak State of March 18 and March 23 1939 1939.

Taken from a speech held by the Slovak Foreign Minister Dr. Duransky on June 15, 1939 before the Foreign Affairs Committee of the Slovak Parliament:

Para. 4 "We fully realize that, had Germany decided to annex Slovakia, nothing would have stood in her path. By Germany's not taking recourse to this step, she has given new proof of the fact that she does not pursue a course of subjugation of the small nations, their denationalization their oppression or what is more their ruin as the Powers are endeavouring to claim because they see in Germany a danger to their position and interests. Not only has Germany not taken any such step, but, on the contrary, Germany has taken it upon herself to guarantee the frontiers and political independence of Slovakia. We know very well how to appreciate this fact. For it is particularly the most recent past that has convinced us, that of all guarantees, only the German guarantee can be of almost importance to us. The truth is, that Germany took a favorable attitude towards Slovakia not only from a political viewpoint, but that she also was cooperative as regards economic matters, so that the initial difficulties might be overcome more easily and quickly. This was of the greatest importance regarding the strengthening of our independence."

Copy certified by:

Dr. Horn

H0786-0081

H0786-0082

Ri.Exhibit Nr. 66

C o p y

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taken from: W h i t e B o o k Nr. 2

Document pertaining to the origin of the war

Nr. 26o

The German Ambassador in London to the Foreign Office

Telegram

London, March 15, 1939.

This afternoon I handed Lord Halifax the text of the Agreement and commented according to instructions.

I pointed out that recent persecutions of Germans and the general absence of law and order in Czechia had created an untenable state of affairs. I also pointed out to him that the difficulty of maintaining German-Czech relations had been aggravated during the past month by the disloyal obstructive attitude of the vast majority of Czech officials. Consequently, when the conflict between Prague and Slovakia had broken out in the previous week, repercussions among the German population on Czech territorry had inevitably followed.

Halifax expressed his regret that the events of the last few days had given fresh cause for disturbance and unrest, and had interrupted the process of general tranquiliżation. The result had been that once more ther was uncertainty about our intentions. For the moment it was impracticabl for Mr. Stanley, President of the Board of Trade, to visit Berlin and to bring about a settlement of general economic questions, which, at the outset, had shown such great promise. He said that, in the relations between Germany and Britain the hands of the clock had been set back considerably.

I answered the British Foreign Secretary that the events of the last few days had been at bottom merely the inevitable consequence of the creatio of such an impossible political structure as Czechoslovakia by the Versailles Powers. The solution attempted in Munich had been jeopardized by the unconstitutional proceedings of the Prague Government against Slovakia.

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The cause of the conflict with Slovakia, the persecutions of the Germans, and the growth of anarchical conditions in Czechia had hastened the course of events. The settlement by treaty of which the British Government was now being informed had been concluded on the basis of the negotiation between the Fuehrer and President Hacha. In any case there was no connection between those events and German-British economic relations. It was remarkable that whenever Germany took action a general storm of indignation arose, while no voice had been raised on the occasion of the occupation of Franfurt and Duesseldorf, in the midst of profound peace. Halifax then asked a few general questions about the legal form it was intended to give to the new political relations, which I answered as far as I could.

Copy certified by: Dirksen

Dr. Martin Horn
Defense Counsel.

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Ri.Exhibit Nr. 67

C o p y

174

taken from: W h i t e B o o k Nr. 2

Documents pertaining to the Origin of the War.

Nr. 259

The German Ambassador in London to the German Foreign Office

Report

London, March 16, 1939.

In the House of Commons on March 15, the Prime Minister began with a short survey of the facts connected with developments in Czechoslovakia since March 10, as they appeared to him in the light of the reports at his disposal.

. . . . . .

In our opinion the situation has radically altered since the Slovak Diet declared the independence of Slovakia. The effect of his declaration put an end by internal disruption of the State whose frontiers we had proposed to guarantee and accordingly, the condition of affairs described by my right hon. Friend the Secretary of State for the Dominions, which was always regarded by us as being only of a transitory nature has now ceased to exist, and His Majesty's Government can not according hold themselves any longer bound by this obligation.

By order

von Selzam

Copy certified by:

Dr. Martin Horn

Attorney-at-Law

Ri.Exhibit No 68

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from the White Book No 2

Documents Perteining to the Origin of War

No 269

Speech by Mr. Chamberlain, British Prime Minister in Birmingham, March 17, 1939

Extract

..... Last Wednesday we had a debate in the House of Commons. That was the day on which the German troops entered Czechoslovakia, and all of us, but particularly the Government, were at a disadvantage, because the information that we had was only partial; much of it was unofficial. We had no time to digest it, much less to form a considered opinion upon it. And so it necessarily followed that I, speaking on behalf of the Government, with all the responsibility that attaches to that position, was obliged to confine myself to a very restrained and cautious exposition, on what at the time I felt I could make but little commentary. And, perhaps naturally, that somewhat cool and objective statement gave rise to a misapprehension, and some people thought that because I spoke quietly, because I gave little expression to feeling, therefore my colleagues and I dod not feel strongly on the subject. I hope to correct that mistake tonight ..... Really I have no need to defend my visits to Germany last autumn, for what was the alternative ? Nothing that we could

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have done, nothing that France could have done, or Russia could have done could possibly have saved Czechoslovakia from invasion and destruction. Even if we had subsequently gone to war to punish Germany for her actions, and if after the frightful losses which would have been inflicted upon all partakers in the war we had been victorious in the end, never could we have reconstructed Czechoslovakia as she was framed by the Treaty of Versailles ..... Germany, under her present regime, has sprung a series of unpleasant surprises upon the world. The Rhineland, the Austrian Anschluss, the severance of Sudetenland - all these things shocked and affronted public opinion throughout the world. Yet, however. much we might take exception to the methods which were adopted in each of those cases, there was something to be said, whether on account of racial affinity or of just claims too long resisted - there was something to be said for the necessity of a change in the existing situation.

But the events which have taken place this week seem to fall into a different category, and they must cause us all to be asking ourselves: "Is this the end of an old adventure, or it is the beginning of a new ?"

"Is this the last attack upon a small State, or is it to be followed by others ? Is this, in fact, a step in the direction of an attempt to dominate the world by force ?"

Those are grave and serious questions. I am not going to answer them tonight. But I am sure they will require the grave and serious consideration

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not only of Germany's neighbors, but of others, perhaps even beyond the confines of Europe. Already there are indications that the process has begun, and it is obvious that it is likely now to be speeded up.

We ourselves will naturally turn first to our partners in the British Commonwealth of Nations and to France, to whom we are so closely bound, and I have no doubt that others, too, knowing that we are not disinterested in what goes on in South-Eastern Europe, will wish to have our counsel and advice.

In our own country we must all review the position with that sense of responsibility which its gravity demands. Nothing must be excluded from that review which bears upon the national safety. Every aspect of our national life must be looked at again from that angle .....

Copy certified by :

Dr. Martin Horn

Attorney-at-Law

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Re Exhibit No 69

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C o p y

from W h i t e - B o o k No 2 181

Document Pertaining to the Origin of the War.

No 263

The German Ambassador in London to the Foreign Office

Report

(Translation)

London, March 16, 1939

The development and the present state of the political crisis in German relations that has arisen in consequence of the course of events in what till now was Czechoslovakia, may be summarized as follows : -

On the first day, in accordance with the attitude of the Government, the tone of the press continued for the most part reserved and disinterested. Only the traditional anti-German papers started their usual campaign of hate.

From Wednesday, March 15, onwards, the atmosphere became perceptibly tense. The more extreme group within the Cabinet, represented especially by Lord Halifax, who is entirely under the influence of the Foreign Office, gained the upper hand.

Above all it became clear to Mr. Chamberlain's friends and foes alike that the position of the Prime Minister himself had been gravely affected. In people's minds he stood for the policy of Munich, for a settlement with Germany on the basis of trust and frank discussion. A few days earlier he had spoken optimistically to the press about the relaxation in the general situation and the improvement in the economic sutuation. The public expected great things from Mr. Stanley's forthcoming visit to Berlin.

This structure - people thought - had now collapsed. Mr. Chamberlain's presentation of the case in the House of Commons was criticized as spineless. His adversaries raised their heads anew. Hence the sharp tone of his speech at Birmingham.

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Mr. Chamberlain's position has been strengthened by his speech in Birmingham although the influence of the Eden-Churchill opposition group, which now appears to support him is growing appreciably.

Since the British people believe that the method of friendly negotiations can now be said to have broken down, attempts will consequently be made "to bring Germany to her senses" by taking a strong course, putting obstacles in her path and refusing - in economic matters, for instance - to meet her half-way.

An increase in international activities is already showing itself in the efforts to establish contacts with France, the United States, Soviet Russia, and the Balkan States. It is impossible as yet to say whether these conversations are directed towards the creation of a new and solid coalition against Germany, or merely intended to secure concerted action in case of further German drives against other states, for instance Roumania or Poland.

von Dirksen

Copy certified by

Dr. Martin Horn

Defense Counsel

H0786-0090

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Ri Exhibit No 70

Publications of the German Institute for Foreign Policy Research

Volume III

The Dictate of Versailles

Published by Professor Dr. Fritz Berber

Decision of the Conference of Ambassadors concerning Memel, dated 16 February 192.

Document No 272, page 763.

The British Empire, France, Italy and Japan in conjunction with the United States of America as the Allied and Associated Principal Powers and Signatory Powers to the peace-treaty signed in Versailles on 28 June 1919,

= considering that in the regulations of section 10 "Memel", article 99 of the above named treaty it is agreed upon ..... the previously mentioned powers decide to transfer to Lithuania sovereignty over the Memel territory under the following conditions:

1. Renunciation in favor of Lithuania of all rights and claims to the territory as described in article 99 of the Versailles Treaty of 28 June 1919,

2. Creation of an autonomic Government and a parliament in Memel .....

sgd Poincaré

Copy certified by

Dr. Horn

Defence Councel

H0786-0091

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Ki. Exhibit Nr. 71

Copy

from Documents on German Politics Volume 7 II (pp. 545/548)

99 a German-Lithuanian Treaty concerning the Reunion of the Memel Territory with the German Reich, dated 22 March 1939.

The German Reich Chancellor and the President of the Republic of Lithuania have decided to regulate the reunion of the Memel Territory with the German Reich by a Treaty; to clarify the undecided questions between Germany and Lithuania and to open in this manner the way to amicable relations between the two countries.

Plenipotentiary powers for this purpose were given: by the German Reich Chancellor to the Reich Minister of Foreign Affairs Joachim von Ribbentrop, by the President of the Republic of Lithuania to Foreign Minister Juozas Urbsys and the Ambassador at Berlin Kazys Skirpa, which gentlemen having exchanged their credentials and having found them in good and valid order have agreed upon the following terms:

Article 1.

Effective today the Memel Toritory separated from Germany by the Treaty of Versailles is reninted with the German Reich.

Article 2.

The Memel Territory will be cleared at once of Lithuanian military and police forces. The Lithuanian Government will see to it that the territory is left in an orderly condition at the evacuation. If required, both parties will appoint commissioners whose task it will be to carry out the transfer of that part of the administration not in the hands of the autonomic authorities of the Memel territory.

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The settlement of the remaining questions arising out of the change of sovereignty especially economic and financial questions pertaining to the status of government officials as well as to citizenship will be subject to a separate agreement.

Article 3

In order to make allowances for the economic requirements of Lithuania, a free port zone will be established in Memel for Lithuania. Details will be settled separately in accordance with the directives stipulated in the supplement attached to this treaty.

Article 4

For the purpose of strengthening their resolution to secure a friendly development of the relations between Germany and Lithuania both parties take upon themselves the obligation neither to employ force against each other nor to support any use of force directed against one of the two parties by a third one.

Article 5

This Treaty becomes effective as soon as signed.

In witness there of the Plenipotentiaries of the two parties affixed their signature to this treaty.

Originally drawn up in both the German and Lithuanian languages.

Berlin, 22 March 1939.

Joachim von Ribbentrop J. Urbsys K. Skirpa

Copy certified by

Dr. Martin Horn,

Defense Counsel.

We, Annemarie C. Catlin, Theodore Lit, Harry M. Frohmann hereby dertify that we are thoroughly conversant with the German and English languages and that above is a true and correct translation of Document No.

March, 22th 1946

Annemarie C. Catlin X 046172
Theodore Lit X 046185
Harry M. Frohmann X 046322

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Ri-Exhibit No. 72

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from Whitebook No. 2: Documents on Events Preceding the outbreak of war

No. 2
(Pages 3-4)

Extract from the Observations of the German Peace Delegation on the Peace Conditions, May 29, 1019

By the settlement of the territorial questions in the east as provided for in Articles 27 and 28, portions of the Prussian provinces of East and West Prussia, Pomerania, Posen and Silesia more or less considerable in area, which are not inhabited by an undeniably Polish population, are allocated to the Polish State. Without considering the ethnographical aspects of the case, numerous German cities and large areas of purely German territory are being handed over to Poland merely in order that Poland may receive suitable military frontiers against Germany or important railway junctions. Districts which at various times during centuries have been separated from Poland or over which Poland never ruled, are now being indiscriminately allotted to her. The acceptance of the suggested settlement would therefore involve a violation of large and undeniably German districts. Such a settlement would, moreover, be contrary to the Wilsonian principle that in settling national questions care must be exercised to avoid "introducing new or perpetuating old elements of discord and antagonism that would be likely in time to break the peace of Europe and consequently of the world" . . . .

A certified true copy:

M. HORN
Attorney at Law

H0786-0094

Ri-Exhibit No. 73

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from the White Paper No. 2: Documents on Events Preceding the Outbreak of the War

No. 13

(Page 28)

Extract from the Observations of the German Peace Delegation concerning the Peace Terms, 29 May 1919

.... The surrender of the purely German Hanseatic City of Danzig and of its equally purely German surroundings as demanded in Articles 100 to 108 is a particularly glaring contravention of all the assurances given in President Wilson's declarations. The census taken in Danzig on December 1, 1910 showed that Danzig had a negligible Polish-speaking minority of 3,5 percent, the Danziger Niederung district one of one percent, the Marienburg district one of 3 percent, and even the Danziger Hoehe district one of only 11 percent. The Poles themselves do not seriously contest the fact that Danzig has always been German in character. An attempt to convert Danzig into a free city, to hand over its transportation systems and the external representation of its rights to the Polish State would call forth violent opposition and a permanent state of war in eastern Europe. The economic measures moreover are so arranged that every possible obstacle is placed in the way of traffic between Danzig and Germany— obviously with the intention of the ultimate Polonization of this purely German territory by means of economic pressure. The German Government are therefore forced to reject the intended violation of Danzig's nationality and to demand that Danzig and the surrounding territory be left to the German Reich .....

A certified true copy:

M. HORN
Attorney at Law

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Ri-Exhibit No. 74

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From the White Paper No. 2: Documents on the events preceding the outbreak of war.

No. 3
(Page 4 - 5)

M. Clemenceau, President of the Supreme Council of the Principal Allied and Associated Powers, to M. Paderewski. Polish Prime Minister

Extract

Paris, June 24, 1919

On behalf of the Supreme Council of the Principal Allied and Associated Powers I have the honor to communicate to you herewith in its final form the text of the Treaty which, in accordance with Article 93 of the Treaty of Peace with Germany, Poland will be asked to sign on the occasion of the confirmation of her recognition as an independent State and of the transference in her favor of the territories included in the former German Empire which are assigned to her by the said Treaty.

.....In this connection I must also call to your attention the fact that the Polish nation owes the recovery of its independence to the endeavors and sacrifices of the Powers in whose name I am addressing you. It is by their decision that Polish sovereignty is being re-established over the territories in question and that the inhabitants of these territories are being incorporated in the Polish nation. For the secure possession of these territories, Poland will in the future largely depend upon the support which the resources of these Powers will afford to the League of Nations. There rests, therefore, upon these Powers an obligation, which they cannot evade, to secure in the most permanent and solemn form guarantees for certain essential rights which will afford to the inhabitants the necessary protection, whatever changes may take place in the internal constitution of the Polish State.

....In order to meet this obligation, Clause 93 was inserted in the Treaty of Peace with Germany.

.....The Powers are dealing here with a new situation, and experience has shown that new provisions are necessary. The territories now being

transferred both to Poland and to other states inevitably include a large population speaking other languages and belonging to other races than the people with whom they will be incorporated. Unfortunately, the races have been estranged by long years of bitter hostility. It may be presumed that these populations will be more easily reconciled to their new position if they know from the very beginning that they have assured protection and adequate guarantees against any danger of unjust treatment or oppression. The very knowledge that these guarantees exist will, it is hoped, materially help the adjustment which all desire, and will indeed do much to prevent the necessity of imposing it by force.

As regards the individual provisions of the present Treaty, Article 2 guarantees to all inhabitants those fundamental rights which are actually granted in every civilized state.

Provisions 3 to 6 are designed to ensure for all genuine residents in the territories now transferred to Polish sovereignty the full privileges of citizenship. Articles 7 and 8, which are in accordance with the above, provide against any discrimination against those Polish citizens who by their religion, their language, or their race, differ from the large mass of the Polish population. We understand that the Polish Government, far from raising any objection to the content of these articles, have already declared their own firm intention of basing their institutions on the cardinal principles enunciated therein.

The following articles are of rather a different nature in that they provide further special privileges for certain groups of these minorities..

A certified true copy:

M. HORN
Attorney at Law

H0786-0096

Ri-Exhibit No. 75

C o p y

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From the White-Paper No. 2: Documents on the events preceding the outbreak of war.

H0786-0097

No. 4

Treaty Concluded BBetween the Principal Allied and Associated Powers and Poland at Versailles, June 28, 1919

Extract

A r t i c l e 1

Poland undertakes that the stipulations contained in Articles 2 to 8 of this Chapter shall be recognized as fundamental laws, and that no law, regulation or official action shall conflict or interfere with these stipulations, nor shall any law, regulation or official action prevail to them.

A r t i c l e 2

Poland undertakes to assure full and complete protection of life and liberty to all inhabitants of Poland without distinction of birth, nationality, language, race or religion.

All inhabitants of Poland shall be entitled to the free exercise, whether public or private, of any creed, religion or belief, whose practices are not inconsistent with public order or public morals.

A r t i c l e 7

All Polish nationals shall be equal before the law and shall enjoy the same civil and political rights without distinction as to race, language or religion.

Differences of religion, creed or confession shall not prejudice any Polish national in matters relating to the enjoyment of civil or political rights, as, for instance, admission to public employment, functions and honors, or the exercise of professions and industries.

No restriction shall be imposed on the free use by any Polish national of any language in private intercourse, in commerce, in religion, in the press or in publications of any kind, or at public meetings.

Notwithstanding any establishment by the Polish Government of an official language, adequate facilities shall be given to Polish nationals of non-Polish speech for the use of their language, either orally or in writing, before the courts.

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Article 8

Polish nationals who belong to racial, religious or linguistic minorities shall enjoy the same treatment and security in law and in fact as the other Polish nationals. In particular they shall have an equal right to establish, manage and control at their own expense charitable, religious and social institutions, schools and other educational establishments, with the right to use their own language and to exercise their religion freely therein.

Article 9

Poland will provide in the public educational system in towns and districts in which a considerable proportion of Polish nationals of other than Polish speech are residents, adequate facilities for ensuring that in the primary schools the instruction shall be given to the children of such Polish nationals through the medium of their own language. This provision shall not prevent the Polish Government from making the teaching of the Polish language obligatory in the said schools.

In towns and districts where there is a considerable proportion of Polish nationals belonging to racial, religious or linguistic minorities, these minorities shall be assured an equitable share in the enjoyment and application of the sums which may be provided out of public funds under the State, municipal or other budget, for educational, religious or charitable purposes.

The provisions of this Article shall apply to Polish citizens of German speech only in that part of Poland which was German territory on August 1, 1914.

Article 12

Poland agrees that the stipulations in the foregoing Articles, so far as they affect persons belonging to racial, religious or linguistic minorities, constitute obligations of international concern and shall be placed under the guarantee of the League of Nations. They shall not be modified without the assent of a majority of the Council of the League of Nations. The United States, the British Empire, France, Italy and Japan hereby agree not to withhold their assent from any modification in these

Articles which is in due form assented to by a majority of the Council of the League of Nations.

Poland agrees that any Member of the Council of the League of Nations s. shall have the right to bring to the attention of the Council any infraction or any danger of infraction, of any of these obligations, and that the Council may thereupon take such action and give such direction as it may deem proper and effective in the circumstances.

Poland further agrees that any difference of opinion as to questions of law or fact arising out of these Articles between the Polish Government and any one of the Principal Allied and Associated Powers or any other Power, a Member of the Council of the League of Nations, shall be held to be a dispute of an international character under Article 14 of the Covenant of the League of Nations, The Polish Government hereby consents that any such dispute shall, if the other party thereto demands, be referred to the Permanent Court of International Justice. The decision of the Permanent Court shall be final and shall have the same force and effect as an award under Article 13 of the Covenant.

A certified true copy:

M. HORN
Attorney at Law

H0786-0099